

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Adam F. Blaskowski,

Plaintiff,

v.

ORDER

Civil No. 16-601 ADM/LIB

Anderson Trucking, Christine
Anderson, Jackie Anderson, and
Nicole Anderson,

Defendants.

Adam F. Blaskowski, pro se.

I. INTRODUCTION

This matter is before the undersigned United States District Judge for a ruling on Plaintiff Adam F. Blaskowski's ("Plaintiff") Objection [Docket No. 5] to Magistrate Judge Leo I. Brisbois' April 20, 2016 Report and Recommendation [Docket No. 4] ("R&R"). In the R&R, Judge Brisbois recommends: (1) denying Plaintiff's application for leave to proceed *in forma pauperis* ("IFP") [Docket No. 2]; and (2) dismissing the Complaint [Docket No. 1] without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii). Also before the Court is Plaintiff's Request to Transfer [Docket No. 6].

II. BACKGROUND

The factual background of this case is fully set forth in the R&R and is incorporated by reference. In the R&R, Judge Brisbois concluded that Plaintiff qualifies for IFP status. However, Judge Brisbois denied the IFP application and dismissed the lawsuit because the Complaint failed to state a cause of action upon which relief could be granted. R&R at 1–2.

Judge Brisbois noted that the Complaint is “almost completely illegible” and that “neither it nor the attached unidentified exhibits explain what the defendants might have done that was illegal.” Id. at 2. For example, in the section of the Complaint titled “STATEMENT OF THE CLAIM,” Plaintiff’s description of the facts supporting his claim consists of the following handwritten words and phrases: “Section 504 ADA Article II,” “FCA [illegible] Act,” “Section 22,” “In my Auto Accident in 2007 Dec.” See Compl. at 3–4.¹ In the section of the Complaint titled “REQUEST FOR RELIEF,” Plaintiff has written: “permanent damage,” “punitive damage,” “U.S.C. 29 Retaliation,” “TBI,” “sex discrimination–issue,” and “Equal Justice [illegible] Act.”

Plaintiff’s Objection to the R&R states in its entirety: “To whom [it] may concern [I] object [to] this matter.” Objection at 1. The Objection is signed by Plaintiff, and below his signature the words “Nicole Anderson” and “Request IFP waiver” are written. Id.

III. DISCUSSION

In reviewing a magistrate judge’s report and recommendation, the district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C); see also D. Minn. L.R. 72.2(b). A district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” Id.

After de novo review, the Court agrees with Judge Brisbois’ conclusions that the Complaint is incomprehensible, lacks factual allegations to support Plaintiff’s claims, and fails to state a claim on which relief can be granted. Plaintiff’s Objection offers no basis for departing from the R&R. Therefore, the R&R is adopted in its entirety. Additionally, because the

¹ Plaintiff has also written what appear to be names of three or four individuals, however the handwriting is not legible. See Compl. at 4.

Complaint is dismissed, the Request to Transfer is denied as moot.

IV. CONCLUSION

Based upon the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff Adam F. Blaskowski's Objection [Docket No. 5] to Magistrate Judge Leo I. Brisbois's April 20, 2016 Report and Recommendation [Docket No. 4] is **OVERRULED**;
2. The Report and Recommendation [Docket No. 4] is **ADOPTED**;
3. Plaintiff's Complaint [Docket No. 1] is **DISMISSED WITHOUT PREJUDICE** under 28 U.S.C. § 1915(e)(2)(B)(ii); and
4. Plaintiff's Request to Transfer [Docket No. 6] is **DENIED** as moot.

LET JUDGMENT BE ENTERED ACCORDINGLY.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: May 25, 2016.